

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

JAMES D. MALYUK
NANCY L. MALYUK
Debtor(s)

Ronda J. Winnecour
Chapter 13 Trustee,
Movant
vs.
No Respondents.

Case No.:16-10530 TPA

Chapter 13

Document No.:

**CHAPTER 13 TRUSTEE'S MOTION FOR DISCHARGE OF DEBTOR
AND APPROVAL OF TRUSTEE'S REPORT OF RECEIPTS AND DISBURSEMENTS**

Ronda J. Winnecour, Chapter 13 Trustee, respectfully represents the following:

1. The plan was confirmed in this Chapter 13 case, and the undersigned served as Trustee.
2. The Trustee has examined the terms of the confirmed Chapter 13 plan, the history of payments to creditors and the claims filed in this Chapter 13 case. The Trustee now recommends that the Court treat this Chapter 13 case as complete.
3. Attached hereto, please find the **Trustee's Report of Receipts and Disbursements** in this case.
4. After all distribution checks have been negotiated or funds deposited into the Court's registry, the Trustee's office will file **UST FORM 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account** (the "Final Report"). Upon submission of the Final Report, the Trustee asks the Court to discharge her from her duties in this case and close this case.

Wherefore, the Trustee requests that the Court,

1. Grant the Debtor(s) a discharge pursuant to Section 1328(a) of the Bankruptcy Code,
2. Approve the Trustee's Report of Receipts and Disbursements,
3. Terminate wage attachments,
4. Revest property of the estate in the debtor(s), and
5. Enter a final decree and close this case.

April 27, 2020

/s/ Ronda J. Winnecour

RONDA J WINNECOUR PA ID #30399
CHAPTER 13 TRUSTEE WD PA
600 GRANT STREET
SUITE 3250 US STEEL TWR
PITTSBURGH, PA 15219
(412) 471-5566
cmevf@chapter13trusteewdpa.com

TRUSTEE'S REPORT OF RECEIPTS AND DISBURSEMENTS

Ronda J. Winnecour, Trustee for the above case, submits the following report pursuant to 11 USC 1302 (b) (1).

1. The case was filed on 06/01/2016 and confirmed on 9/27/16 . The case was subsequently Completed After Confirmation

2. The Trustee made the following disbursements.

Total Receipts		55,384.32
Less Refunds to Debtor	1,805.90	
TOTAL AMOUNT OF PLAN FUND		53,578.42

Administrative Fees			
Filing Fee	0.00		
Notice Fee	0.00		
Attorney Fee	4,580.00		
Trustee Fee	2,335.73		
Court Ordered Automotive Insurance	0.00		
TOTAL ADMINISTRATIVE FEES			6,915.73

Creditor Type	Creditor Name	Claim Amount	Prin Paid	Int Paid	Total Paid
Secured					
	MAURICE GASTON LLC	2,079.75	2,079.75	0.00	2,079.75
	Acct: 4316				
	MAURICE GASTON LLC	2,731.74	2,731.74	0.00	2,731.74
	Acct: 4316				
	MAURICE GASTON LLC	0.00	25,701.68	0.00	25,701.68
	Acct: 4316				
	MAURICE GASTON LLC	0.00	0.00	0.00	0.00
	Acct: 4316				
	ERIE COUNTY TAX CLAIM BUREAU*	10,297.95	10,297.95	2,040.34	12,338.29
	Acct: 2815				
					42,851.46

Priority					
	DANIEL P FOSTER ESQ**	0.00	0.00	0.00	0.00
	Acct:				
	JAMES D. MALYUK	0.00	0.00	0.00	0.00
	Acct:				
	JAMES D. MALYUK	576.92	576.92	0.00	0.00
	Acct:				
	JAMES D. MALYUK	1,228.98	1,228.98	0.00	0.00
	Acct:				
	DANIEL P FOSTER ESQ**	1,000.00	1,000.00	0.00	0.00
	Acct:				
	DANIEL P FOSTER ESQ**	3,580.00	3,580.00	0.00	0.00
	Acct:				
	CLERK, U S BANKRUPTCY COURT	51.40	51.40	0.00	51.40
	Acct: XRION				
					51.40

Unsecured					
	CBJ CREDIT RECOVERY	0.00	0.00	0.00	0.00
	Acct: 7577				
	COLLECTION SERVICE CENTER INC	0.00	0.00	0.00	0.00
	Acct: UZ24				
	IC SYSTEM INC	0.00	0.00	0.00	0.00

Creditor Type	Creditor Name	Claim Amount	Prin Paid	Int Paid	Total Paid
Unsecured					
	Acct: 5001				
	IC SYSTEM INC	0.00	0.00	0.00	0.00
	Acct: 9002				
	MIDLAND CREDIT MANAGEMENT INC	0.00	0.00	0.00	0.00
	Acct:				
	MIDLAND FUNDING LLC BY AMERICAN IN	0.00	0.00	0.00	0.00
	Acct:				
	NORTHSTAR CAPITAL ACQUISITION++	0.00	0.00	0.00	0.00
	Acct:				
	PENELEC/FIRST ENERGY**	7,837.78	2,489.72	0.00	2,489.72
	Acct: ATCH				
	PREMIER BANKCARD/CHARTER	0.00	0.00	0.00	0.00
	Acct:				
	RECOVERY MGT SYSTEMS CORP++	0.00	0.00	0.00	0.00
	Acct: 5536				
	ORION++	161.81	0.00	0.00	0.00
	Acct: 4527				
	QUANTUM3 GROUP LLC - AGNT QUANTL	1,624.12	515.91	0.00	515.91
	Acct: 633R				
	QUANTUM3 GROUP LLC - AGNT QUANTL	1,407.89	447.22	0.00	447.22
	Acct: 4363				
	QUANTUM3 GROUP LLC - AGNT QUANTL	176.02	55.91	0.00	55.91
	Acct: 4401				
	ERIE FEDERAL CREDIT UNION(*)	790.38	251.07	0.00	251.07
	Acct: 4892				
	ORION++	0.00	0.00	0.00	0.00
	Acct:				
	KML LAW GROUP PC*	0.00	0.00	0.00	0.00
	Acct:				
					3,759.83

TOTAL PAID TO CREDITORS 46,662.69

TOTAL	
CLAIMED	51.40
PRIORITY	15,109.44
SECURED	11,998.00

Date: 04/27/2020

/s/ Ronda J. Winnecour

RONDA J WINNECOUR PA ID #30399
 CHAPTER 13 TRUSTEE WD PA
 600 GRANT STREET
 SUITE 3250 US STEEL TWR
 PITTSBURGH, PA 15219
 (412) 471-5566
 cmecf@chapter13trusteewdpa.com

Certificate of Notice Page 4 of 6
**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

JAMES D. MALYUK
NANCY L. MALYUK
Debtor(s)Ronda J. Winnecour
Movant
vs.
No Respondents.

Case No.:16-10530 TPA

Chapter 13

Document No.:

ORDER OF COURT

AND NOW, this _____ day of _____, 20____, upon consideration of the **Chapter 13 Trustee's Motion for Discharge of Debtor and Approval of Trustee's Report of Receipts and Disbursements**, and following notice to the creditors and an opportunity to be heard, it is hereby **ORDERED, ADJUDGED and DECREED**, as follows:

- (1). This Court finds that the Chapter 13 plan, as supplemented by any and all amendments, has been fully and finally completed.
- (2). The debtor(s) is/are entitled to and shall receive a discharge in this case pursuant to Section 1328(a) of the Bankruptcy Code.
- (3). To the extent not previously terminated, the wage attachment(s) issued in this case is/are immediately terminated and the debtor(s) shall serve a copy of this order on any affected employer(s).
- (4). Property of the estate hereby reverts in the debtor(s). This revestment of property is free and clear of any and all claims or interests except as otherwise treated in the plan or in the Order confirming the Plan. All restrictions of the debtor(s)' use of the property of the estate is hereby terminated.
- (5). Each and every creditor is bound by the provisions of the completed plan, whether or not the claim of such creditor is provided for in the Plan, and whether or not such creditor has objected to, has accepted or rejected the plan. All mortgage and other secured debts provided for by the Plan are hereby found to be cured of any and all monetary defaults as of the payment date for which the Trustee last made a distribution, and no additional interest, late fees or penalties may be assessed for time periods or payments due prior to that date.
- (6). After all distribution checks have been negotiated or funds deposited into the Court's registry, the Trustee shall file UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account (the "Final Report"). Upon submission of the Final Report, the Trustee is discharged from her duties in this case and the case will be closed.

BY THE COURT:

U.S. BANKRUPTCY JUDGE

Certificate of Notice Page 5 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 James D. Malyuk
 Nancy L. Malyuk
 Debtors

Case No. 16-10530-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: lmar
 Form ID: pdf900

Page 1 of 2
 Total Noticed: 21

Date Rcvd: Apr 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 02, 2020.

db/jdb +James D. Malyuk, Nancy L. Malyuk, 10040 Hillwood Drive, Wattsburg, PA 16442-9578
 14239202 +Erie County Tax Claim Bureau, 140 West 6th Street, Erie, PA 16501-1073
 14239203 +IC Systems, Inc, 444 Highway 96 East, Po Box 64378, St Paul, MN 55164-0378
 14246326 +Northstar Capital Acquisition, 170 North Pointe Parkway, Suite 300, Amherst, NY 14228-1992
 14246323 +Northwest Savings Bank, PO Box 337, Warren PA 16365-0337
 14239204 +Penelec, PO Box 3687, Akron, OH 44309-3687
 14239207 +Trident Asset Management, Po Box 888424, Atlanta, GA 30356-0424

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: rmscedi@recoverycorp.com May 01 2020 03:15:27 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605
 14239200 +E-mail/Text: matthartweg@cbjcredit.com May 01 2020 03:09:47 Cbj Credit Recovery, Po Box 1132, Jamestown, NY 14702-1132
 14263006 +E-mail/Text: kthomas@eriefcu.org May 01 2020 03:09:23 Erie Federal Credit Union, 1109 E. 38th Street, Erie, PA 16504-1845
 14312063 +E-mail/Text: bknotices@snsc.com May 01 2020 03:09:49 Gemini Capital Managers LLC, c/o SN Servicing Corporation, 323 5th Street, Eureka, CA 95501-0305
 15109542 +E-mail/Text: bknotices@snsc.com May 01 2020 03:09:49 Maurice Gaston LLC, C/O SN Servicing Corp., 323 5th Street, Eureka, CA 95501-0305
 14246324 +E-mail/Text: bankruptcydpt@mcmcg.com May 01 2020 03:09:32 Midland Credit Management, 2365 Northside Drive, Suite 300, San Diego CA 92108-2709
 14246325 +E-mail/PDF: EBN_AIS@AMERICANINFO SOURCE.COM May 01 2020 03:15:33 Midland Funding LLC, Attn: Department 1, PO Box 4457, Houston TX 77210-4457
 14248778 E-mail/PDF: rmscedi@recoverycorp.com May 01 2020 03:15:55 Orion Portfolio Services LLC, c/o Recovery Management Systems Corp., 25 SE 2nd Avenue Suite 1120, Miami, FL 33131-1605
 14246327 +E-mail/Text: csidl@sbcglobal.net May 01 2020 03:09:40 Premier Bankcard/Charter, PO Box 2208, Vacaville CA 95696-8208
 14262098 E-mail/Text: bnc-quantum@quantum3group.com May 01 2020 03:09:24 Quantum3 Group LLC as agent for, Quantum3 Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14243587 E-mail/PDF: rmscedi@recoverycorp.com May 01 2020 03:15:53 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605
 14239205 +E-mail/PDF: rmscedi@recoverycorp.com May 01 2020 03:15:27 Recovery Management Systems Corporation, 25 SE Second Avenue, Suite 1220, Miami, FL 33131-1605
 14239206 E-mail/Text: bknotices@snsc.com May 01 2020 03:09:49 SN Servicing Corporation, 323 Fifth Street, Eureka, CA 95501
 14239208 +E-mail/Text: webadmin@vhllc.co May 01 2020 03:09:43 Vance & Huffman Llc, 55 Monette Parkway Suite 100, Smithfield, VA 23430-2577

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Gemini Capital Managers LLC
 cr Maurice Gaston LLC
 14239201 ##+Collection Service Center, 689 North Hermitage Road #6, Hermitage, PA 16148-3237
 14248723 ##+Penelec, c/o First Energy, 331 Newman Spring Road, Bldg. 3, Red Bank, NJ 07701-6771
 TOTALS: 2, * 0, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 02, 2020

Signature: /s/Joseph Speetjens

District/off: 0315-1

User: lmar
Form ID: pdf900

Page 2 of 2
Total Noticed: 21

Date Rcvd: Apr 30, 2020

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 27, 2020 at the address(es) listed below:

Brian E. Caine on behalf of Creditor Maurice Gaston LLC bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Brian E. Caine on behalf of Creditor Gemini Capital Managers LLC bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Daniel P. Foster on behalf of Joint Debtor Nancy L. Malyuk dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
Daniel P. Foster on behalf of Debtor James D. Malyuk dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Maurice Gaston LLC bkgroup@kmllawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmeccf@chapter13trusteeewdpa.com

TOTAL: 7